

REMARKS

In the May 18, 2006 Office Action, the Examiner noted that claims 1-3, 37-39 and 41-46 were pending in the application; claims 1-3, 37-39 and 43-45 were withdrawn from consideration; and claims 41, 42 and 46 were rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent 5,949,905 to Nichani et al. (Reference A in the May 18, 2006 Office Action). Claim 42 has been canceled and thus, claims 1-3, 37-39, 41 and 43-46 remain in the case. The rejections are traversed below.

Claim 41 has always recited a two-step extracting process. These steps have been clarified in claims 41 and 46, so that the difference compared to Nichani et al. is more apparent. Specifically, claim 41 recites "extracting a part of a unicolor pattern from an the input image by comparing the first threshold and color information of the input image" (claim 41, lines 5-6) where the first threshold is obtained by "setting a labeling threshold of the input image as a first threshold value based on the read resolution for each color element" (claim 41, lines 3-4). Then, the first threshold is corrected "to set a second threshold for determining a unicolor range with standard deviation obtained from color variance about the unicolor pattern extracted from the input image" (claim 41, lines 7-9). Finally, the second threshold is used in "extracting a remaining part of the unicolor pattern" (claim 4, last line).

In contrast, Nichani et al. computes a histogram from an image, generates two types of threshold values (high and low thresholds) based on the histogram, and segmentation of the image is performed to obtain the pixels between the threshold values. While both the method recited in claim 1 and Nichani et al. use two types of threshold values for segmentation of an image, the manner in which the thresholds are used and how the threshold values are obtained are different. As discussed above, Nichani et al. calculates both threshold values at the same time from a histogram, while claim 41 recites that the second threshold is obtained by "correcting the first threshold" (claim 41, line 7) and then only the second threshold is used in "extracting a remaining part of the unicolor pattern." Nothing has been cited or found in Nichani et al. suggesting the substantial modification thereof that would be necessary to meet the limitations recited in claim 41.

Claim 46 has been amended to recite "setting a corrected first threshold as a second threshold for determining a unicolor range according to color information about the unicolor pattern extracted from the input image; and extracting a remaining part of the unicolor pattern based on the second threshold" (claim 46, last 4 lines). It is submitted that the arguments set

forth above with respect to claim 41 also apply to claim 46. Therefore, it is submitted that claims 41 and 46 patentably distinguish over Nichani et al.

Summary

It is submitted that Nichani et al. does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 41 and 46 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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